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Loren Jackson - District Clerk
Harris County
ED101J015639466
By: Velina Brooks

No. 2009-74116

T. DORINA PAPAGEORGIOU, <i>Plaintiff</i>	§	IN THE DISTRICT COURT OF
	§	
	§	
vs.	§	
	§	HARRIS COUNTY, TEXAS
THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, <i>Defendant.</i>	§	
	§	
	§	333 rd JUDICIAL DISTRICT

**ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANT THE UNIVERSITY OF
TEXAS HEALTH SCIENCE CENTER AT HOUSTON**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the Defendant, The University of Texas Health Science Center at Houston and files this its Original Answer and Affirmative Defenses to Plaintiff's Original Petition in the above styled case, and would respectfully show the Court as follows:

GENERAL DENIAL

As authorized by Rule 92 of the Texas Rules of Civil Procedure, the Defendant denies each and every, all and singular, the allegations of Plaintiff's Original Petition, and demands strict proof thereof. The Defendant further denies that Plaintiff is entitled to any relief whatsoever.

AFFIRMATIVE DEFENSES

- I. Defendant asserts that Plaintiff's Original Petition fails to state a claim upon which relief can be granted.
- II. Defendant asserts the applicable statute of limitations to Plaintiff's claims if made outside the limitations period.
- III. Defendant asserts that Plaintiff has failed to mitigate her damages.

- IV. Defendant asserts that the Plaintiff has failed to exhaust administrative remedies prior to bringing suit.
- V. Defendant asserts that any and all employment decisions regarding the Plaintiff were wholly appropriate and not in retaliation for action(s) taken or claim(s) made by Plaintiff.
- VI. Defendant affirmatively asserts all immunities available to it by law, including sovereign and official immunity.
- VII. Compensatory and other damages awarded in this matter, if any, are subject to the statutory damage cap provided for in the applicable state law.
- VIII. Defendants assert the right to raise additional defenses that become apparent throughout the further development of the case.

PRAYER

WHEREFORE, Defendant, The University of Texas Health Science Center at Houston respectfully requests that this Court deny the Plaintiff any and all relief demanded in their Original Petition, and grant Defendant's costs and attorneys fees, and such other and further relief to which Defendant's may show itself justly entitled.

Respectfully submitted,

GREG ABBOTT

Attorney General of Texas

C. ANDREW WEBER

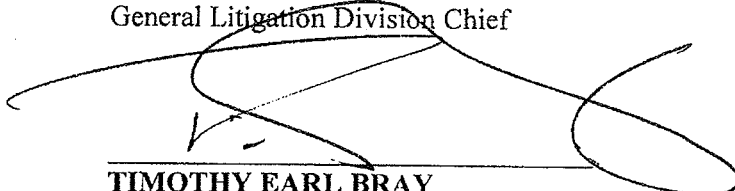
First Assistant Attorney General

DAVID S. MORALES

Deputy Attorney General for Civil Litigation

ROBERT B. O'KEEFE

General Litigation Division Chief



TIMOTHY EARL BRAY

Assistant Attorney General

Texas Bar No. 24061240

Attorney-in-Charge

Office of the Attorney General of Texas

General Litigation Division

P.O. Box 12548, Capitol Station

Austin, Texas 78711

Telephone: (512) 463-2120

Facsimile: (512) 320-0667

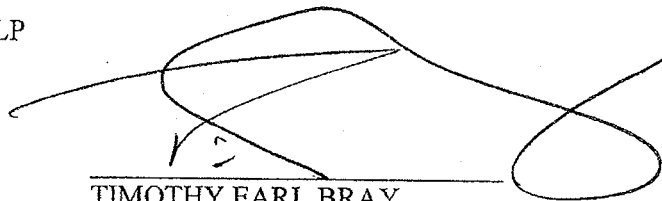
Email: Tim.Bray@oag.state.tx.us

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been sent by U.S. Certified Mail, Return Receipt Requested to the following on January 20, 2010 to:

Andrew S. Golub
DOW GOLUB REMELS & BEVERLY, LLP
8 Greenway Plaza, 14th Floor
Houston, Texas 77046



TIMOTHY EARL BRAY

Assistant Attorney General